

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1848.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

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1848.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1848.

retary of state a certificate that such additional capital has CHAP. 164. actually been paid into said bank as aforesaid.

[Approved August 10, 1848.]

Chapter 164.

An act to incorporate the Maine Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Samuel F. B. Morse, Amos Kendall, H. O. Alden Corporators. and James Eddy, their associates and successors, are hereby created a body corporate by the name of the Maine Telegraph Corporate name. Company, for the purpose of constructing, maintaining and operating a magnetic telegraph line between the city of Port- Location. land and the boundary of the Province of New Brunswick, with all the rights and privileges and subject to all the liabilities provided by the general laws of this state relating to corporations.

SECT. 2. The said company is authorized to locate and Construction. construct its line aforesaid, between the said termini along and upon any public highway or across any water, or upon any rail road or private property for which permission shall first have been obtained of the proprietors thereof, by the erection of the necessary fixtures, including posts, piërs or abutments for sustaining the wires or conductors of such line, but the same shall not be so constructed as to incommode the public use of said roads or highways or injuriously interrupt the navigation of said waters; nor shall the company have authority to construct any bridge across any waters of this state.

SECT. 3. The company shall have power by agreement with Power to connect with other lines. other persons or bodies politic, to connect their line of telegraph with other lines of telegraph constructed within or out of this state.

SECT. 4. The said company shall have authority to cut Authority to cut down or remove trees. down or remove any trees except ornamental or shade trees, which may be within the limits of the highways, and which would otherwise obstruct the erection of their line or injure the same by falling. And any trees standing upon lands by the side of any road, by which the said line shall be located, may also be cut down or removed, if necessary for the safety of such line, and the owner of such land shall be entitled to com- Compensation to owner, how determined.

CHAP. 164.

compensation therefor, to be ascertained, if the parties do not agree, in the same manner as damages are ascertained for land taken for highways; and the company shall be held to pay the amount so ascertained.

Capital stock.

SECT. 5. The capital stock of said company shall be of such amount as the company may from time to time determine to be necessary for the exclusive purpose of erecting, maintaining and operating the line of telegraph hereby authorized, and the company shall be holden to make all such returns of the stockholders therein, as are required by the laws of this state of other corporations.

Returns.**Transmission of despatches.**

SECT. 6. It shall be the duty of the company, whenever their line shall be in readiness for operation over any part of the route herein authorized, to receive despatches from and for any other telegraph lines and associations or companies and from and for any individual, and on payment of their usual charges for individuals for transmitting despatches as established by the general rules and regulations of the company, to transmit the same, subject only to the limitations contained in the following section, with impartiality and good faith, under the penalty of one hundred dollars for every neglect or refusal so to do, which penalty may be recovered by an action of debt, in the name and to the use of the person or persons sending or desiring to send any such despatch.

Penalty for neglect, &c.**Despatches in the event of war, suppression of crime, &c.**

SECT. 7. The said company shall be bound, on application of any officer of the United States, or of this state, acting in the event of any war, insurrection, or resistance of public authority, or in the prevention or for the punishment of crime, or the arrest of persons charged or suspected of crime, to give to communications of such officers immediate despatch; and if any officer, clerk, or operator of said company shall refuse or wittingly omit to transmit any such communication, or shall designedly alter or falsify the same, for any purpose whatever, he shall be subject to indictment therefor, and on conviction, shall be sentenced to pay a fine not exceeding five hundred dollars, or to be imprisoned in the county jail not more than one year. But the company shall receive for transmitting such communications, the same compensation that shall be paid for transmitting private communications of similar length.

Liability for neglect or designedly altering the same.**Damages for breach of contract.**

SECT. 8. Nothing in this act contained shall exonerate said company from liability, at common law, for the payment of damages for any breach of contract on their part.

First meeting.

SECT. 9. Any one of the persons named in the first section

of this act, may call the first meeting of the company, by giving notice thereof to each [of his associates, and this act shall take effect from and after its approval by the governor. CHAP. 165.

[Approved August 10, 1848.]

Chapter 165.

An act to divide the town of Wilson and annex the same to the towns of Greenville, Shirley, and Elliottsville.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The town of Wilson in the county of Piscataquis shall be divided as follows, to wit: beginning on the west line of said town, at the southwest corner of lots numbered five, in the fourteenth range of lots, thence east on the south line of lot numbered five, across ranges fourteen, thirteen, twelve, eleven, and ten; thence continuing east on the south line of lots numbered eight, across ranges nine, eight, seven, six, five, four, and three, to the east line of said town; also, beginning on the range line between ranges eight and nine on the south side of said town of Wilson; thence north on the said range line until it strikes the first line aforesaid between the southwest corner of lot number eight in the eighth range and the southeast corner of lot number eight in the ninth range. All that part of said Wilson west of the last described line, with the inhabitants thereon, are hereby annexed to the town of Shirley; that part of said Wilson east of said last described line with the inhabitants thereon are hereby annexed to the town of Elliottsville. And all that part of said town of Wilson, north of the first described line with the inhabitants thereon are hereby annexed to the town of Greenville; the above division to be made according to the plan of the said town of Wilson made by Alexander Greenwood.

SECT. 2. The said inhabitants so annexed with the estates so set off shall be holden to pay the arrears of all taxes which have been legally assessed upon them, together with their proportion of all corporate debts of said town of Wilson due or owing from said town at the time this act may take effect.

SECT. 3. All moneys belonging to said town of Wilson or which may hereafter come to said town from or on account of the public lands in said town shall be divided and apportioned